

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

V.

CASE NO. 4:17-CR-00293-BSM

MARCUS O. MILLSAP

DEFENDANT

MOTION FOR EXTENSION OF TIME TO FILE *EX PARTE* PRIVILEGE LOG

Comes now the Defendant, Marcus O. Millsap, by and through his undersigned attorney, and for his Motion for Extension of Time to File *Ex Parte* Privilege Log, states as follows:

1. On October 14, 2022, the Court ordered the issuance of a subpoena duces tecum to Sharon Carr. *See* Doc. # 2625. The Court further ordered Ms. Carr to deliver responsive documents to chambers and the undersigned counsel, and further ordered the undersigned counsel to file within ten days of receipt of said documents an *ex parte* privilege log that details the basis of the claimed privilege for each document or communication in question, along with an explanatory affidavit of counsel.

2. Ms. Carr delivered the documents to the Court and the undersigned counsel on October 31, 2022, making the privilege log due November 10, 2022.

3. Some documents returned in response to the subpoena include potentially privileged communications between Ms. Carr and another attorney. An extension of time is necessary for undersigned counsel to contact said attorney and, if necessary, to obtain an explanatory affidavit from said attorney supporting the basis of the privilege claimed.

4. Defendant Marcus Millsap respectfully requests that the Court grant him an extension of time until Monday, November 14, 2022, to submit his *ex parte* privilege log and explanatory affidavits of counsel.

5. Undersigned counsel has conferred with Assistant U.S. Attorney Stephanie Mazzanti, who has advised that she has no objection to the requested extension.

WHEREFORE, Defendant Marcus O. Millsap respectfully requests that his Motion be granted in all respects, that the Court enter an Order extending time for Defendant to file his *ex parte* privilege log and explanatory affidavits of counsel until Monday, November 14, 2022, and for all other proper relief to which he may be entitled.

RESPECTFULLY SUBMITTED,

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